

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

UNITED STATE OF AMERICA,  
Plaintiff,

vs.

JESUS FAUSTO MARISCAL,  
Defendant.

ORDER ADOPTING REPORT AND  
RECOMMENDATION

Case No. 2:15 CR 411 TC

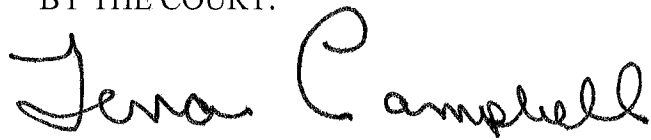
On December 22, 2015, Judge Paul M. Warner held a hearing on Defendant Jesus Fausto Mariscal's motion for review of detention. At the conclusion of the hearing, Judge Warner found that although defendant's counsel presented arguments for releasing the defendant, he did not provide actual changes of circumstance. Judge Warner further found that the defendant failed to provide any evidence to rebut the statutory presumption "that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community" under 18 U.S.C. § 3142(e)(3). Finally, Judge Warner found that the defendant's previous criminal history and close ties with Mexico make him a significant flight risk and a risk to the safety of the community and therefore RECOMMENDED that the defendant continue to be detained.

The parties were given fourteen (14) days to file objections to the Report and Recommendation. No objections were received.

The court has carefully reviewed the Report and Recommendation and the relevant materials in the file and finds the recommendation correct in all respects. Accordingly, the Report and Recommendation is adopted as the order of the court. IT IS ORDERED that the defendant continue to be detained.

DATED this 8 day of January, 2016.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL  
U. S. District Court Judge